

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JOHN ZIPPO,

Plaintiff,

-against-

CITY OF NEW YORK, CAPTAIN SMART, CAPTAIN,  
DAVIS, CAPTAIN JEFFRIES, CAPTAIN MATHEUS,  
CO WASHINGTON, CO VALDEZ, CO LEE,  
CO TITTLE, CO VASQUEZ, and JOHN DOES 1-6,

Defendants.  
-----X

**SUGGESTION OF  
DEATH OF PLAINTIFF  
JOHN ZIPPO UPON THE  
RECORD UNDER RULE  
25(A)(1)**

23-CV-00865 (VSB)

**PLEASE TAKE NOTICE** that pursuant to Rule 25 of the Federal Rules of Civil Procedure, the Office of the Corporation Counsel of the City of New York affirms the truth of the following:

On April 24, 2023, plaintiff John Zippo's counsel, Rob Rickner, represented to me that plaintiff, John Zippo, has passed away;

**WHEREFORE**, the New York City Law Department, Office of the Corporation Counsel, suggests upon the record that plaintiff John Zippo is deceased; and

**WHEREFORE**, the New York City Law Department, Office of the Corporation Counsel, hereby requests that any motion for substitution of a proper party be timely made within ninety (90) days of this date.

Dated: New York, New York  
April 24, 2023

HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel of the City of New York  
*Attorney for Defendant City of New York*

By: *Thomas Lai s/*  
Thomas Lai  
Senior Counsel

Special Federal Litigation Division  
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To: **VIA ECF**  
Stephanie Panousieris  
*Attorney for Plaintiff*